



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pelrine, et al.

Attorney Docket No.: SRI 2029

Application No.: 09/779,373

Examiner: P. Medley

Filed: February 7, 2001

Group: 2834

Title: ENERGY EFFICIENT ELECTROACTIVE
POLYMERS AND ELECTROACTIVE
POLYMER DEVICES

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on September 25, 2002.

Signed: Deborah Neill

Deborah Neill

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Election/Restriction Requirement mailed September 11, 2002, Applicants provisionally elect with traverse FIG. 3A, a device for converting between mechanical and electrical energy.

Claims 1-5, 7-24 and 26-37 may read on the elected species. Specifically, FIG. 3A shows a device as claimed in independent claim 1, a device as claimed in independent claim 19, and capable of a method as recited in independent claim 28. Dependent claims 2-5, 7-18, 20-24, 26-27, and 29-37 all depend either directly or indirectly from these three independent claims.

Applicants also note that the same set of claims are readable on the species shown in FIG. 1D.

It is respectfully submitted that the drawing groups identified by the Examiner are not unrelated. To help the Applicants understand the Restriction, Applicants respectfully request to know how the Examiner perceives them to be unrelated when read in light of the claims.

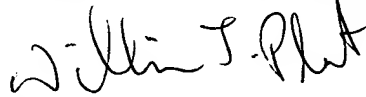
Further, there must be a serious burden on the Examiner in order for a restriction requirement to be proper. According to MPEP 803, "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

In this case, any appropriate search of the claims for any of the figures mentioned should reasonably cover the inventions recited in the other figures. All figures involve a polymer transducer responsible for converting between electrical and mechanical energy. Hence, it is respectfully submitted that it would not be a serious burden on the Examiner to search all five claim groups.

Withdrawal of the restriction/election requirement is respectfully requested.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. SRI1P029).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



William J. Plut
Limited Recognition Under 37 C.F.R. § 10.(b)

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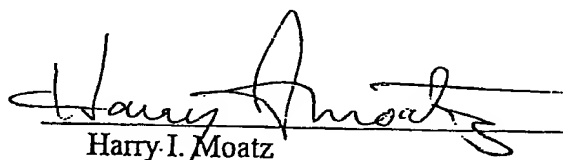
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE

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Expires: May 12, 2003


Harry I. Moatz
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